

STATE OF ALABAMA,

Petitioner,

vs.

JOHN DUGALD CROSBY, JR.,
WILLIAM NEAL CROSBY, EDWARD
BROWN CROSBY, and FIRST NATIONAL
BANK OF MOBILE, a National
Banking Association, TRUSTEES,
as to TRACT NUMBER 4, ET AL.,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NUMBER 5088.

3958

NOTICE OF APPEAL:

Comes the State of Alabama in the above entitled cause, and, prays for and takes an appeal to the Circuit Court of Baldwin County, Alabama, from the order of condemnation entered in said cause on the 22nd day of January, 1964, insofar as said order of condemnation relates to the Tract of land and the owners and parties interested therein as follows:

TRACT NUMBER 4: John Dugald Crosby, Jr., William Neal Crosby, and Edward Brown Crosby, are, with the First National Bank of Mobile, Alabama, the Trustees of the Trust Estate created by the Last Will and Testament of John Dugald Crosby; that the First National Bank of Mobile is the Executor of the Estate of John Dugald Crosby, presently pending in the Probate Court of Baldwin County, Alabama, and are, in the several capacities, owners of said tract.

That a copy of the description of the above designated tract is hereto attached, marked Exhibit "A", and by reference made a part hereof, as though fully set out herein.

The State of Alabama does herewith file in the Probate Court of Baldwin County, Alabama, the court rendering such order of condemnation, this, its written notice of said appeal.

DONE this 31st day of January, 1964.

RICHMOND M. FLOWERS,
Attorney General
State of Alabama

By: Julian A. Masliburn
Duly appointed Special Assistant
Attorney General for the State of Alabama.

Petitioner hereby demands

a trial of this cause by Jury.

Julian A. Masliburn
Duly appointed Special Assistant
Attorney General for State of Alabama.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 1-31-64

Recorded L. D. Dwyer book 105 page 105
Judge of Probate

STATE OF ALABAMA,

Petitioner,

vs.

JOHN DUGALD CROSBY, JR.,
WILLIAM NEAL CROSBY, EDWARD
BROWN CROSBY, and FIRST NATIONAL
BANK OF MOBILE, a National
Banking Association, TRUSTEES,
as to TRACT NUMBER 4, ET AL.,

Defendants.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

CASE NUMBER 5088.

NOTICE OF APPEAL:

Comes the State of Alabama in the above entitled cause, and, prays for and takes an appeal to the Circuit Court of Baldwin County, Alabama, from the order of condemnation entered in said cause on the 22nd day of January, 1964, insofar as said order of condemnation relates to the Tract of land and the owners and parties interested therein as follows:

TRACT NUMBER 4: John Dugald Crosby, Jr., William Neal Crosby, and Edward Brown Crosby, are, with the First National Bank of Mobile, Alabama, the Trustees of the Trust Estate created by the Last Will and Testament of John Dugald Crosby; that the First National Bank of Mobile is the Executor of the Estate of John Dugald Crosby, presently pending in the Probate Court of Baldwin County, Alabama, and are, in the several capacities, owners of said tract.

That a copy of the description of the above designated tract is hereto attached, marked Exhibit "A", and by reference made a part hereof, as though fully set out herein.

The State of Alabama does herewith file in the Probate Court of Baldwin County, Alabama, the court rendering such order of condemnation, this, its written notice of said appeal.

DONE this 31st day of January, 1964.

RICHMOND M. FLOWERS,
Attorney General
State of Alabama

By: Julius G. Madalibun
Duly Appointed Special Assistant
Attorney General for the State of Alabama.

Petitioner hereby demands

a trial of this cause by Jury.

Julius G. Madalibun
Duly Appointed Special Assistant
Attorney General for State of Alabama.

STATE OF ALABAMA, BALDWIN COUNTY
Filed 1-31-64

Recorded L. D. Dwyer page 105
Judge of Probate

The undersigned hereby acknowledges himself security for costs in this cause.

Jeffrey J. Massadour
Duly appointed Special Assistant
Attorney General for State of Alabama.

Approved 31 Jan 1964
L. D. Owen, Jr.
Judge of Probate

TO: JOHN DUGALD CROSBY, JR., WILLIAM NEAL CROSBY, EDWARD BROWN CROSBY,
and THE FIRST NATIONAL BANK OF MOBILE, Trustees

You are hereby notified that the above Notice of Appeal was filed in the Office of the Judge of Probate of Baldwin County, Alabama, on the 31st day of January, 1964.

WITNESS my hand this 31st day of January, 1964.

L. D. Owen, Jr.
Probate Judge of Baldwin County, Alabama.

By: Harry M. D'Almeida
Chief Clerk.

EXHIBIT "A"

Baldwin

Baldwin

and as shown on the right-of-way map of Project No. 1-67-1(23) as recorded in the Office of the Judge of Probate of Baldwin County:

PARCELS 11. Commencing at the northeast corner of Section 11, T-1-S, R-3-E, thence $S 0^{\circ} 13' W$ along the west line of said Section, the east property line, a distance of 570 feet, more or less, to a point that is 170 feet northwesterly of and at right angles to the centerline of Project No. 1-67-1(23) and the point of beginning thence northwesterly along a curve to the left (concave northwesterly) having a radius of 32,768.11 feet, parallel to the centerline of said Project, a distance of 160 feet, more or less, to a point that is 157 feet northwesterly of and at right angles to the centerline of said Project at Station 990+00; thence northwesterly along a straight line a distance of 500 feet, more or less, to a point that is 200 feet northwesterly of and at right angles to the centerline of said Project at Station 911+00; thence northwesterly along a straight line a distance of 700 feet, more or less, to a point that is 170 feet northwesterly of and at right angles to the centerline of said Project at Station 916+00; thence northwesterly along a curve to the left (concave northwesterly) having a radius of 32,768.11 feet, parallel to the centerline of said Project, a distance of 470 feet, more or less, to a point that is 170 feet northwesterly of and at right angles to the centerline of said Project at Station 920+00; thence northwesterly along a straight line a distance of 75 feet, more or less, to a point that is 175 feet northwesterly of and at right angles to the centerline of said Project at Station 920+00; thence northwesterly along a curve to the left (concave northwesterly) having a radius of 32,743.11 feet, parallel to the centerline of said Project, a distance of 225 feet, more or less, to a point that is 175 feet northwesterly of and at right angles to the centerline of said Project at Station 935+00; thence $N 60^{\circ} 31' E$, parallel to the centerline of said Project a distance of 172.12 feet; thence southeasterly along a straight line a distance of 15 feet, more or less, to a point that is 190 feet northwesterly of and at right angles to the centerline of said Project at Station 935+00; thence $S 62^{\circ} 31' E$, parallel to the centerline of said Project, a distance of 1,137 feet; thence northwesterly along a straight line a distance of 125 feet, more or less, to a point that is 200 feet northwesterly of and at right angles to the centerline of said Project at Station 958+00; thence $S 62^{\circ} 31' E$, parallel to the centerline of said Project, a distance of 200 feet, more or less, to the east line of Section 11, T-1-S, R-3-E, the east property line; thence southerly along said east property line (crossing the centerline of said Project at Station 958+00) a distance of 377 feet, more or less, to a point that is 190 feet southeasterly of and at right angles to the centerline of said Project; thence $S 62^{\circ} 31' E$, parallel to the centerline of said Project, a distance of 1,200 feet, more or less, to a point that is 190 feet southeasterly of and at

right angles to the continuation of said Project at Station 250+00, thence continuously along a straight line a distance of 75 feet, more or less, to a point that is 175 feet northwesterly of and at right angles to the continuation of said Project at Station 250+00, thence S 65° 15' E, parallel to the continuation of said Project, a distance of 125 feet, thence continuously along a straight line a distance of 75 feet, more or less, to a point that is 175 feet northwesterly of and at right angles to the continuation of said Project at Station 250+00, thence continuously along a curve to the right (concave northwesterly) having a radius of 25,000.00 feet, parallel to the continuation of said Project, a distance of 125 feet, more or less, to a point that is 175 feet northwesterly of and at right angles to the continuation of said Project at Station 250+00, thence continuously along a straight line a distance of 600 feet, more or less, to a point that is 175 feet northwesterly of and at right angles to the continuation of said Project at Station 250+00, thence continuously along a curve to the right (concave northwesterly) having a radius of 25,000.00 feet, parallel to the continuation of said Project, a distance of 125 feet, more or less, to the west line of Section 14, T-4-S, R-4-E, the said property line thence S 0° 15' E along said west property line (containing the continuation of said Project at Station 250+00) a distance of 225 feet, more or less, to the point of beginning.

Said strip of land lying in the NE 1/4 of Section 14, and the NE 1/4 of Section 15, T-4-S, R-4-E and containing 2.75 acres, more or less.

As a part of the consideration hereinafter stated there is also tangentially sold, conveyed and relinquished to the grantee all easements, claims, or potential claims now or hereafter existing of record or otherwise the right of way of the public way identified as Project No. 1-574(25), County of Madison, and all of the grantor's remaining real property constituting all parcels contiguous and to whether, whether, acquired by separate conveyances or otherwise, all of which parcels either abut the real property conveyed by this instrument or are situated thereon by other parcels owned by the grantor.

PARCELS 14, 15. Beginning at the northeast corner of Section 14, T-4-S, R-4-E, thence S 85° 30' E, along the north line of said Section, the west property line, a distance of 2,500 feet, more or less, to a point that is 75 feet northwesterly of and at right angles to the continuation of the relocation of the Jack Springs Highway and the point of beginning thence continuing S 85° 30' E along said north property line (which if extended would intersect the continuation of said relocation at Station 250+50.0) a distance of 47 feet, more or less, to the present southeast right-of-way line of said Jack Springs Road, the northeast property line thence northwesterly along said northeast property line a distance of 45 feet, more or less, to the north property line thence easterly along said north property line a distance of 75 feet, more or less, to a point that is 75 feet northwesterly of and at right angles to the continuation of said relocation thence northwesterly along a curve to the right (concave northwesterly) having a radius of 25,000.00 feet, parallel to the continuation of said relocation, a distance of 47 feet, more or less, to the point of beginning.

Said strip of land lying in the NE 1/4 of Section 14, T-4-S, R-4-E and containing 1.75 acres, more or less.

PARCELS 16, 17. A temporary easement to a strip of land necessary for the disposal of rock and being more fully described as follows: Beginning at a point that is 175 feet northwesterly of and at right angles to the continuation of Project No. 1-574(25) at Station 250+00, thence S 65° 15' E parallel to the continuation of said Project, a distance of 1,400 feet, thence continuously along a straight line a distance of 125 feet, more or less, to a point that is 175 feet northwesterly of and at right angles to the continuation of said Project at Station 250+00, thence S 0° 15' E, parallel to the

centerline of said Project a distance of 1,335 feet; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 180 feet to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$ of Section 11, T-4-S, R-3-E and containing 3.25 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARAGRAPH 3. A temporary easement to a strip of land necessary for the disposal of rock and being more fully described as follows: Beginning at a point that is 135 feet easterly of and at right angles to the centerline of Project No. 1-42-1(25) at Station 250+00; thence S $89^{\circ} 31'$ E, parallel to the centerline of said Project, a distance of 180 feet; thence southeasterly along a straight line a distance of 25 feet, more or less, to a point on the northwest line of an 180 foot easement of the Alabama Power Company, that is S $89^{\circ} 31'$ E, easterly of and at right angles to the centerline of said Project at Station 250+00; thence southeasterly along the said Alabama Power Company easement line a distance of 25 feet, more or less, to a point that is approximately 187 feet easterly of and at right angles to the centerline of said Project at Station 250+00; thence southeasterly along a straight line a distance of 75 feet, more or less, to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$ of Section 14, T-4-S, R-3-E and containing 0.75 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARAGRAPH 4. A temporary easement to a strip of land necessary for the disposal of rock and being more fully described as follows: Beginning at a point that is 135 feet easterly of and at right angles to the centerline of Project No. 1-42-1(25) at Station 250+00; thence S $89^{\circ} 31'$ E, parallel to the centerline of said Project a distance of 180 feet; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 180 feet; thence S $89^{\circ} 31'$ E, parallel to the centerline of said Project, a distance of 180 feet; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 180 feet to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$ of Section 11, T-4-S, R-3-E and containing 2.45 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARAGRAPH 5. A temporary easement to a strip of land necessary for the disposal of rock and being more fully described as follows: Beginning at a point that is 135 feet easterly of and at right angles to the centerline of Project No. 1-42-1(25) at Station 250+00; thence S $89^{\circ} 31'$ E, parallel to the centerline of said Project a distance of 180 feet; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 25 feet, more or less, to the northwest line of an 180 foot easement of the Alabama Power Company; thence southeasterly along said northwest line a distance of 25 feet, more or less, to a point that is approximately 187 feet easterly of and at right angles to the centerline of said Project at Station 250+00; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 25 feet, more or less, to the point of beginning.

Said strip of land lying in the SW¹/₄ of Section 11, T-4-S, R-4-E and containing 1.30 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARAGRAPH 7. A temporary easement to a strip of land necessary for the disposal of rock and being more fully described as follows: Beginning at the southeast corner of SW¹/₄ of Section 6, T-4-S, R-4-E; thence westerly along the north line of said SW¹/₄ a distance of 75 feet, more or less, to a point that is 125 feet northwesterly of and at right angles to the corner line of Project No. 2-45-1(25); thence northwesterly along a curve to the left (center northwesterly) having a radius of 25 feet, 25 feet, parallel to the continuation of said Project, a distance of 15 feet, more or less, to the east line of said SW¹/₄; thence westerly along a straight line a distance of 25 feet, more or less, to the point of beginning.

Said strip of land lying in the SW¹/₄ of Section 6, T-4-S, R-4-E and containing 0.45 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARAGRAPH 8. A temporary easement to a strip of land necessary for the disposal of rock and being more fully described as follows: Beginning at a point that is 125 feet northwesterly of and at right angles to the corner line of Project No. 2-45-1(25) on Section 11(25); thence S 45° E 25' 15" parallel to the continuation of said Project a distance of 1.25 feet, more or less, to the right and run a distance of 15 feet, more or less, to the northwest line of a 125 foot easement of the Western Power Company; thence northwesterly along said northwest line a distance of 1.25 feet, more or less, to a point that is 125 feet northwesterly of and at right angles to the continuation of said Project at Section 11(25); thence northwesterly along a straight line a distance of 25 feet, more or less, to the point of beginning.

Said strip of land lying in the SW¹/₄ of Section 11 and the NW¹/₄ of Section 12, T-4-S, R-4-E and containing 2.12 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARAGRAPH 9. An easement to a strip of land necessary for the construction and maintenance of a drainage ditch and being more fully described as follows: Beginning at the northeast corner of Section 14, T-4-S, R-4-E; thence westerly along the north line of said Section a distance of 1.25 feet, more or less, to a point that is 125 feet northwesterly of and at right angles to the continuation of Project No. 2-45-1(25); thence S 45° E 25' 15" parallel to the continuation of said Project, a distance of 175 feet, more or less, to a point that is 125 feet northwesterly of and at right angles to the continuation of said Project at Section 11(25) and the point of beginning; thence westerly along a straight line a distance of 25 feet, more or less, to a point that is 125 feet northwesterly of and at right angles to the continuation of said Project at Section 11(25); thence S 45° E 25' 15" parallel to the corner line of said Project, a distance of 125 feet, more or less, to a point that is 125 feet northwesterly of and at right angles to the continuation of said Project at Section 11(25); thence S 45° E 25' 15" parallel to the continuation of said Project, a distance of 125 feet to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of Section 14, T-1-S, R-3-E and containing 0.46 acres, more or less.

PARCEL NO. 10: A temporary easement to a strip of land necessary for the disposal of rock and being more fully described as follows: Beginning at a point that is 150 feet northerly of and at right angles to the centerline of Project No. 1-65-1(28) at Station 914+07; thence S 68° 31' W, parallel to the centerline of said Project, a distance of 237 feet; thence turn an angle of 90° 00' to the right and run a distance of 100 feet; thence N 68° 31' E, parallel to the centerline of said Project, a distance of 100 feet; thence southeasterly along a straight line a distance of 120 feet, more or less, to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of Section 11, T-1-S, R-3-E and containing 0.41 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 11: An easement to a strip of land necessary for the construction and maintenance of a drainage ditch and being more fully described as follows: Commencing at the southeast corner of Section 11, T-1-S, R-3-E; thence N 0° 23' W along the east line of said Section a distance of 870 feet, more or less, to Station 953+00 on the centerline of Project No. 1-65-1(28); thence S 68° 31' W, along the centerline of said Project, a distance of 2,697 feet; thence turn an angle of 90° 00' to the right and run a distance of 130 feet to the point of beginning; thence S 68° 31' W, parallel to the centerline of said Project, a distance of 116 feet; thence northeasterly along a straight line a distance of 200 feet, more or less, to a point that is 325 feet northeasterly of and at right angles to the centerline of said Project at Station 970+00; thence N 68° 31' E, parallel to the centerline of said Project, a distance of 113 feet; thence southeasterly along a straight line a distance of 200 feet, more or less, to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$ of Section 11, T-1-S, R-3-E and containing 0.46 acres, more or less.

STATE OF ALABAMA,	)	IN THE PROBATE COURT OF
Petitioner,	)	
vs.	)	BALDWIN COUNTY, ALABAMA
JOHN DUGALD CROSBY, JR.,	)	
ET AL.,	)	CASE NUMBER 5088.
Defendants.	)	

NOTICE TO SERVE:

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to serve the foregoing notice of appeal upon JOHN DUGALD CROSBY, JR., BAY MINETTE, ALABAMA, and make due return to this court of such service.

DONE this 31st day of January, 1964.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 1-31-64 M

Recorded book page

L. D. Owen, Jr.
Judge of Probate

L. D. Owen, Jr.
Judge, Probate Court of Baldwin County, Ala.

By: Harry M. Ogline
Chief Clerk

STATE OF ALABAMA

BALDWIN COUNTY

I hereby certify that I have executed the within notice upon John Dugald Crosby, Jr., by leaving a copy of the same with him.

DONE this 3 day of Feb, 1964.

Taylor Wilkins
Sheriff.

W. A. Talbert

3 Miles North of B.M. miles at

Sheriff claims 60¢
Ten Cents per mile Total \$ 60¢
TAYLOR WILKINS, Sheriff
BY W. A. Talbert
DEPUTY SHERIFF

STATE OF ALABAMA,	)	
Petitioner,	)	IN THE PROBATE COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
JOHN DUGALD CROSBY, JR.,	)	
ET AL.,	)	CASE NUMBER 5088.
Defendants.	)	

NOTICE TO SERVE:

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to serve the foregoing notice of appeal upon WILLIAM NEAL CROSBY, BAY MINETTE, ALABAMA, and make due return to this court of such service.

DONE this 31st day of January, 1964.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 1-31-64 M

Recorded 1-31-64 book 154 page 154

L. D. Owen, Jr.
Judge of Probate

L. D. Owen, Jr.
Judge, Probate Court of Baldwin County, Alabama.

By: Harry M. Bobine,
Chief Clerk

STATE OF ALABAMA

BALDWIN COUNTY

I hereby certify that I have executed the within notice upon William Neal Crosby, by leaving a copy of the same with him.

DONE this 5 day of Feb, 1964.

Leahy Wilkins
Sheriff.
W. A. Talbot
one

STATE OF ALABAMA,	)	
Petitioner,	)	IN THE PROBATE COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
JOHN DUGALD CROSBY, JR.,	)	
ET AL.,	)	CASE NUMBER 5088.
Defendants.	)	

NOTICE TO SERVE:

TO ANY SHERIFF OF THE STATE OF ALABAMA

You are hereby commanded to serve the foregoing notice of appeal upon EDWARD BROWN CROSBY, BAY MINETTE, ALABAMA, and make due return to this court of such service.

DONE this 31st day of January, 1964.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 1-31-64 M

Recorded 1-31-64 book 1-31-64 page 1-31-64

J. D. Owen, Jr.
Judge of Probate

J. D. Owen, Jr.
Probate Judge, Baldwin County, Alabama.

By: Harry M. Dolue,
Chief Clerk.

STATE OF ALABAMA

BALDWIN COUNTY

I hereby certify that I have executed the within notice upon Edward Brown Crosby, by leaving a copy of the same with Hon. J. B. Blackburn, as his Attorney and Attorney in Fact.

DONE this 5 day of Feb, 1964.

Leah W. Wilkins
Sheriff.
W. A. Falbert
om

STATE OF ALABAMA,	)	
	)	IN THE PROBATE COURT OF
Petitioner,	)	
	)	BALDWIN COUNTY, ALABAMA
vs.	)	
JOHN DUGALD CROSBY, JR.,	)	
ET AL.,	)	CASE NUMBER 5088.
	)	
Defendants.	)	

NOTICE TO SERVE:

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to serve the foregoing notice of appeal upon the FIRST NATIONAL BANK OF MOBILE, MOBILE, ALABAMA, and make due return to this Court of such service.

DONE this 31st day of January, 1964.

STATE OF ALABAMA, BALDWIN COUNTY
1-31-64

Filed _____
Recorded _____
book _____ page _____
Judge of Probate

L. D. Owen, Jr.
Judge, Probate Court of Baldwin County, Ala.
By: Harry M. DeLong
Chief Clerk.

STATE OF ALABAMA
BALDWIN COUNTY

I hereby certify that I have executed the within notice upon the First National Bank of Mobile, a National Banking Association, Mobile, Alabama, by leaving a copy of the same with said bank. ^{m. Weiss-V.P.}

DONE this 4 day of Feb, 1964.

Rae L. Bridges
Sheriff
C. Miller DS

STATE OF ALABAMA
VS:
JOHN DUGALD CROSBY, JR.,
TRACT 4

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW, CASE NO. 5958

We, the jury, find for the landowners
and assess their damages and compensation
at \$ 11,500.⁰⁰

Elbert M. Woodie
Foreman

735-B

Inact 4		Crosby	
Inact 5		International Paper	
"	8	Long	✓
"	23	Ben May	✓
"	26	Ben May	✓
"	29	Leslie Byars	✓
"	36	Allie Byars	✓
"	39	Wm Welch	
"	53	W.P. Brown & Sons	✓

Cross appeal on Inact 6 - W.P. Brown

EXHIBIT "A"

Baldwin

Baldwin

and as shown on the right-of-way map of Project No. I-65-1(28) as recorded in the Office of the Judge of Probate of Baldwin County:

PANCEL NO. 1: Commencing at the northwest corner of Section 14, T-1-S, R-3-E; thence S 0° 13' W along the west line of said Section, the west property line, a distance of 830 feet, more or less, to a point that is 150 feet northwesterly of and at right angles to the centerline of Project No. I-65-1(28) and the point of beginning; thence northeasterly along a curve to the left (concave northwesterly) having a radius of 22,768.31 feet, parallel to the centerline of said Project, a distance of 160 feet, more or less, to a point that is 150 feet northwesterly of and at right angles to the centerline of said Project at Station 905+00; thence northeasterly along a straight line a distance of 600 feet, more or less, to a point that is 200 feet northwesterly of and at right angles to the centerline of said Project at Station 911+00; thence northeasterly along a straight line a distance of 500 feet, more or less, to a point that is 150 feet northwesterly of and at right angles to the centerline of said Project at Station 916+00; thence northeasterly along a curve to the left (concave northwesterly) having a radius of 22,768.31 feet, parallel to the centerline of said Project, a distance of 450 feet, more or less, to a point that is 150 feet northwesterly of and at right angles to the centerline of said Project at Station 920+50; thence northeasterly along a straight line a distance of 55 feet, more or less, to a point that is 175 feet northwesterly of and at right angles to the centerline of said Project at Station 92+00; thence northeasterly along a curve to the left (concave northwesterly) having a radius of 22,743.31 feet, parallel to the centerline of said Project, a distance of 225 feet, more or less, to a point that is 175 feet northeasterly of and at right angles to the centerline of said Project at Station 925+27.88; thence N 68° 31' E, parallel to the centerline of said Project a distance of 172.12 feet; thence southeasterly along a straight line a distance of 55 feet, more or less, to a point that is 150 feet northwesterly of and at right angles to the centerline of said Project at Station 925+50; thence N 68° 31' E, parallel to the centerline of said Project, a distance of 5,150 feet; thence northeasterly along a straight line a distance of 115 feet, more or less, to a point that is 200 feet northwesterly of and at right angles to the centerline of said Project at Station 958+00; thence N 68° 31' E, parallel to the centerline of said Project, a distance of 200 feet, more or less, to the east line of Section 11, T-1-S, R-3-E, the east property line; thence southerly along said east property line (crossing the centerline of said Project at Station 959+20) a distance of 377 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project; thence S 68° 31' W, parallel to the centerline of said Project, a distance of 3,320 feet, more or less, to a point that is 150 feet southeasterly of and at

right angles to the centerline of said Project at Station 926+50; thence southwesterly along a straight line a distance of 55 feet, more or less, to a point that is 175 feet southeasterly of and at right angles to the centerline of said Project at Station 926+00; thence S 68° 31' W, parallel to the centerline of said Project, a distance of 200 feet; thence southwesterly along a straight line a distance of 75 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project at Station 923+27.88; thence southwesterly along a curve to the right (concave northwesterly) having a radius of 25,068.31 feet, parallel to the centerline of said Project, a distance of 530 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project at Station 918.00; thence southwesterly along a straight line a distance of 610 feet, more or less, to a point that is 200 feet southeasterly of and at right angles to the centerline of said Project at Station 912+00; thence southwesterly along a straight line a distance of 605 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project at Station 906+00; thence southwesterly along a curve to the right (concave northwesterly) having a radius of 25,068.31 feet, parallel to the centerline of said Project, a distance of 560 feet, more or less, to the west line of Section 14, T-1-S, R-3-E, the west property line; thence N 0° 15' W along said west property line (crossing the centerline of said Project at Station 902+95) a distance of 316 feet, more or less, to the point of beginning.

Said strip of land lying in the E $\frac{1}{2}$ of Section 14, and the S $\frac{1}{2}$ of Section 11, T-1-S, R-3-E and containing 41.70 acres, more or less.

As a part of the consideration hereinabove stated there is also bargained, sold, conveyed and relinquished to the grantees all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified as Project No. I-65-1(28), County of Baldwin, and all of the grantor's remaining real property consisting of all parcels contiguous one to another, whether, acquired by separate conveyances or otherwise, all of which parcels either adjoin the real property conveyed by this instrument or are connected thereto by other parcels owned by the grantor.

PARCEL NO. 2: Commencing at the northeast corner of Section 15, T-1-S, R-3-E; thence S 89° 50' W, along the north line of said Section, the north property line, a distance of 2,240 feet, more or less, to a point that is 75 feet southeasterly of and at right angles to the centerline of the relocation of the Jack Springs Highway and the point of beginning; thence continuing S 89° 50' W along said north property line (which if extended would intersect the centerline of said relocation at Station 923+43.8) a distance of 47 feet, more or less, to the present southeast right-of-way line of said Jack Springs Road, the northwest property line; thence southwesterly along said northwest property line a distance of 46 feet, more or less, to the south property line; thence easterly along said south property line a distance of 50 feet, more or less, to a point that is 75 feet southeasterly of and at right angles to the centerline of said relocation; thence northeasterly along a curve to the right (concave southeasterly) having a radius of 5,654.58 feet, parallel to the centerline of said relocation, a distance of 45 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of Section 15, T-1-S, R-3-E and containing 0.05 acres, more or less.

PARCEL NO. 3: A temporary easement to a strip of land necessary for the disposal of muck and being more fully described as follows: Beginning at a point that is 150 feet northwesterly of and at right angles to the centerline of Project No. I-65-1(28) at Station 947+00; thence S 68° 31' W parallel to the centerline of said Project, a distance of 1,477 feet; thence northwesterly along a straight line a distance of 120 feet, more or less, to a point that is 250 feet northwesterly of and at right angles to the centerline of said Project at Station 931+65; thence N 68° 31' E, parallel to the

centerline of said Project a distance of 1,555 feet; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 100 feet to the point of beginning.

Said strip of land lying in the $\frac{9}{16}$ of Section 11, T-1-S, R-3-E and containing 3.23 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 4: A temporary easement to a strip of land necessary for the disposal of muck and being more fully described as follows: Beginning at a point that is 150 feet southeasterly of and at right angles to the centerline of Project No. I-65-1(28) at Station 929+00; thence N $68^{\circ} 51'$ E, parallel to the centerline of said Project, a distance of 380 feet; thence southeasterly along a straight line a distance of 85 feet, more or less, to a point on the northwest line of an 100 foot easement of the Alabama Power Company, that is 227 feet southeasterly of and at right angles to the centerline of said Project at Station 933+29; thence southwesterly along the said Alabama Power Company easement line a distance of 415 feet, more or less, to a point that is approximately 227 feet southeasterly of and at right angles to the centerline of said Project at Station 929+00; thence northwesterly along a straight line a distance of 77 feet, more or less, to the point of beginning.

Said strip of land lying in the $\frac{1}{4}$ of Section 14, T-1-S, R-3-E and containing 0.72 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 5: A temporary easement to a strip of land necessary for the disposal of muck and being more fully described as follows: Beginning at a point that is 150 feet northwesterly of and at right angles to the centerline of Project No. I-65-1(28) at Station 917+00; thence S $68^{\circ} 51'$ W parallel to the centerline of said Project a distance of 700 feet; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 150 feet; thence N $68^{\circ} 51'$ E, parallel to the centerline of said Project, a distance of 700 feet; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 150 feet to the point of beginning.

Said strip of land lying in the $\frac{8}{16}$ of Section 11, T-1-S, R-3-E and containing 2.41 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 6: A temporary easement to a strip of land necessary for the disposal of muck and being more fully described as follows: Beginning at a point that is 150 feet southeasterly of and at right angles to the centerline of Project No. I-65-1(28) at Station 950+00; thence N $68^{\circ} 51'$ E, parallel to the centerline of said Project a distance of 700 feet; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 52 feet, more or less, to the northwest line of an 100 foot easement of the Alabama Power Company; thence southwesterly along said northwest line a distance of 700 feet, more or less, to a point that is approximately 231 feet southeasterly of and at right angles to the centerline of said Project at Station 950+00; thence turn an angle of $90^{\circ} 00'$ to the right and run a distance of 51 feet, more or less, to the point of beginning.

Said strip of land lying in SE $\frac{1}{4}$ of Section 11, T-1-S, R-3-E and containing 1.30 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 7: A temporary easement to a strip of land necessary for the disposal of muck and being more fully described as follows: Beginning at the southeast corner of SW $\frac{1}{4}$ of Section 6, T-1-S, R-4-E; thence westerly along the south line of said SW $\frac{1}{4}$ a distance of 55 feet, more or less, to a point that is 250 feet northwesterly of and at right angles to the centerline of Project No. I-65-1(28); thence northeasterly along a curve to the left (concave northwesterly) having a radius of 22,768.21 feet, parallel to the centerline of said Project, a distance of 75 feet, more or less, to the east line of said SW $\frac{1}{4}$, the east property line; thence southerly along said east property line a distance of 50 feet, more or less, to the point of beginning.

Said strip of land lying in the SW $\frac{1}{4}$ of Section 6, T-1-S, R-4-E and containing 0.05 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 8: A temporary easement to a strip of land necessary for the disposal of muck and being more fully described as follows: Beginning at a point that is 150 feet southeasterly of and at right angles to the centerline of Project No. I-65-1(28) at Station 933+96; thence N 68° 31' E, parallel to the centerline of said Project a distance of 1,304 feet; thence turn an angle of 90° 00' to the right and run a distance of 80 feet, more or less, to the northwest line of a 100 foot easement of the Alabama Power Company; thence southeasterly along said northwest line a distance of 1,260 feet, more or less, to a point that is 227 feet northeasterly of and at right angles to the centerline of said Project at Station 934+49; thence northwesterly along a straight line a distance of 90 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of Section 14 and the SE $\frac{1}{4}$ of Section 11, T-1-S, R-3-E and containing 2.33 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 9: An easement to a strip of land necessary for the construction and maintenance of a drainage ditch and being more fully described as follows: Commencing at the northeast corner of Section 14, T-1-S, R-3-E; thence westerly along the north line of said Section a distance of 2,145 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of Project No. I-65-1(28); thence S 68° 31' W, parallel to the centerline of said Project, a distance of 175 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project at Station 933+96 and the point of beginning; thence southeasterly along a straight line a distance of 200 feet, more or less, to a point that is 318 feet southeasterly of and at right angles to the centerline of said Project at Station 934+95; thence S 68° 31' W, parallel to the centerline of said Project, a distance of 114 feet; thence northwesterly along a straight line a distance of 200 feet, more or less, to a point that is 150 feet southeasterly of and at right angles to the centerline of said Project at Station 932+80; thence N 68° 31' E, parallel to the centerline of said Project, a distance of 116 feet to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$ of Section 14, T-1-S, R-3-E and containing 0.46 acres, more or less.

PARCEL NO. 10: A temporary easement to a strip of land necessary for the disposal of muck and being more fully described as follows: Beginning at a point that is 150 feet northwesterly of and at right angles to the centerline of Project No. I-65-1(28) at Station 931+07; thence S 68° 31' W, parallel to the centerline of said Project, a distance of 207 feet; thence turn an angle of 90° 00' to the right and run a distance of 100 feet; thence N 68° 31' E, parallel to the centerline of said Project, a distance of 160 feet; thence southeasterly along a straight line a distance of 120 feet, more or less, to the point of beginning.

Said strip of land lying in the NW $\frac{1}{4}$ of Section 11, T-1-S, R-3-E and containing 0.41 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

PARCEL NO. 11: An easement to a strip of land necessary for the construction and maintenance of a drainage ditch and being more fully described as follows: Commencing at the southeast corner of Section 11, T-1-S, R-3-E; thence N 0° 25' W along the east line of said Section a distance of 858 feet, more or less, to Station 979+20 on the centerline of Project No. I-65-1(28); thence S 68° 31' W, along the centerline of said Project, a distance of 2,697 feet; thence turn an angle of 90° 00' to the right and run a distance of 150 feet to the point of beginning; thence S 68° 31' W, parallel to the centerline of said Project, a distance of 116 feet; thence northwesterly along a straight line a distance of 200 feet, more or less, to a point that is 323 feet northwesterly of and at right angles to the centerline of said Project at Station 930+08; thence N 68° 31' E, parallel to the centerline of said Project, a distance of 115 feet; thence southeasterly along a straight line a distance of 200 feet, more or less, to the point of beginning.

Said strip of land lying in the S $\frac{1}{2}$ of Section 11, T-1-S, R-3-E and containing 0.46 acres, more or less.

It being understood and agreed that upon completion of said Project all rights granted herein for temporary easement shall cease and terminate.

735-1C

Exhibit No. 4
John P. Gandy

DECEMBER 1960

STATE OF ALABAMA,	)	IN THE CIRCUIT COURT OF
PETITIONER,	)	BALDWIN COUNTY, ALABAMA
VS.	)	CASE NO. 5958
JOHN DUGALD CROSBY, JR.,	)	
et al, and TRACT NO. 4,	)	
PROJECT I-65-1 (28),	)	
RESPONDENTS.	)	

FINAL JUDGMENT

This cause coming on to be heard by the Court on this the 6th day of December, 1966, now come the parties and their respective attorneys of record and it appearing to the Court from the stipulation of the parties made and entered into on this date and filed in this cause, that on the 30th day of October, 1963, an application was filed in the Probate Court of Baldwin County, Alabama, by the State of Alabama, seeking to condemn certain lands therein described for the uses and purposes therein averred, and that subsequent thereto proceedings were had in the Probate Court of Baldwin County, Alabama, and that the necessary action to properly effect the appeal from the Probate Court of Baldwin County, Alabama in accordance with all the statutes and laws in such cases made and provided, to the Circuit Court of Baldwin County, Alabama, were made, and that said Court did enter an order of condemnation of the lands described in said application and which are hereinafter described, and that on the 31st day of January, 1964, the State of Alabama, appealed from said order of condemnation to this Court and demanded a trial by jury; and it further appearing to the Court from the stipulation of the parties hereinabove referred to that the only issue in this proceeding is the damages and compensation, if any, to which the Defendant landowners are entitled and that an order of condemnation should here be entered condemning the lands hereinafter described for the uses and purposes set forth in the application, which is now on file in this Court.

And now comes a jury of twelve good and lawful men, to-wit,

Elbert M. Rhodes and eleven others, and the issue of the amount of damages and compensation, if any, to which the landowners are entitled having been submitted to them did return a verdict in words and figures as follows:

'We, the Jury, find for the landowners and assess their damages and compensation at \$11,500.00."

Elbert M. Rhodes
FOREMAN

And the Court having considered all of the above is of the opinion and judgment that an order or judgment of condemnation should be here entered conditioned upon the payment by the State of Alabama to the Clerk of this Court for the use and benefit of the Defendant landowners of the sum aforesaid; it is, therefore

ORDERED, ADJUDGED AND DECREED by the Circuit Court of Baldwin County, Alabama, as follows:

1. That the application of the State of Alabama for the condemnation of the lands, rights and construction, hereinafter described be, and the same are hereby granted, and that the property described in Exhibit "A" attached hereto, and by reference made a part thereof as though fully set forth herein, be, and the same is hereby condemned for the use by the State of Alabama as a right of way for a public road as set forth in the application aforesaid, and the rights therein are hereby divested out of the landowners and into the State of Alabama, upon the payment by the State of Alabama of the sum hereinafter ordered and decreed to be paid.

2. That the damages and compensation to which the Defendant landowners in this case, John Dugald Crosby, Jr., et al, are entitled is hereby fixed at the sum of \$11,500.00, which said sum is hereby ordered to be paid by the State of Alabama to said Defendant landowners; and that upon payment of said amount by the State of Alabama to said landowners the condemnation of the lands hereinabove described shall be, and become effective.

3. That the State of Alabama pay the costs of this proceeding.

Dated this 6th day of December, 1966.

Jeffery M. Mashek
CIRCUIT JUDGE

FILED
DEC 20 1966
W. J. WALK, CLERK
REGISTER

STATE OF ALABAMA,)
)
 Petitioner,) IN THE CIRCUIT COURT OF
)
 vs.)
)
 JOHN DUGALD CROSBY, JR.,) BALDWIN COUNTY, ALABAMA
 WILLIAM NEAL CROSBY, EDWARD)
 BROWN CROSBY, and FIRST)
 NATIONAL BANK OF MOBILE, a) CASE NUMBER 5958.
 National Banking Association,)
 TRUSTEES, as to TRACT NUMBER)
 4,)
)
 Respondents.)

STIPULATION:

It is hereby stipulated by and between the Petitioner (appellant), and John Dugald Crosby, Jr., et al (appellees), parties to the above styled cause, through their respective attorneys of record, each acting with full authority as follows:

1. That the petitioner is authorized to institute and prosecute this proceeding to acquire the property or interest for order of condemnation filed in the Probate Court of Baldwin County, Alabama, on the 30th day of October, 1963, for the public purposes stated in said application or petition.

2. That all proceedings in the Probate Court of Baldwin County, Alabama, in this cause were regular, and an appeal has been duly and properly perfected within the time allowed and entered in said Probate Court in this cause on the 31st day of January, 1964, in this Court and trial by jury on the issue of valuation has been properly demanded.

3. That the application or petition for order of condemnation correctly sets out the uses and purposes for which the property and rights herein sought is to be devoted, used or applied and the petitioner has the right to obtain said property in this proceeding for the purposes stated.

4. That the respondents herein are the only parties known to either petitioner or respondents who have or assert any right, title or interest in or to the lands or interest therein sought to be acquired.

5. That the respondents have had due notice of this trial and all proceedings herein and expressly enter their appearance in this court.

735-A

6. That the only issue in this proceeding is the damages and compensation, if any, to which the respondents are entitled for the lands and interest in lands sought to be acquired by the petitioner for the uses and purposes stated.

7. That the time of taking in this proceeding is the date on which the application for order of condemnation was filed in the Probate Court, to-wit, October 30, 1963, and the valuation of said property was constant between that date and the date on which the order of condemnation was entered, to-wit, January 22, 1964.

Kenneth Cooper
Attorney for Petitioner.

J. B. Blashman
Attorneys for Respondents.

Filed 12-6-64
Alice French
Clerk

State vs. Crosby

JURY LIST- Dec. 5, 1966

1. Allen, Norman W., Farmer, Gateswood,
2. Andress, Herbert E., Farmer, Foley
3. Bodiford, Charlie, Laborer, Foley
4. Boros, Anthony J., Farmer, Elbert
5. Cabiness, Marvin, Laborer, Bay Minette
6. Cans, P. Gray, Oil Distributor, Bay Minette
7. Childress, Guy, Farmer, Robertsedale
8. Clark, Percy, Mill Worker, Stockton
9. Clay, Harris, Mechanic, Fairhope
10. Colgin, Ned, Farmer, Summerdale
11. Cooper, Grady, Farmer, Elbert
12. Cooper, Nolan P. Merchant, Rosinton
13. DuBoise, James W., Gov't Emp., Gulf Shores
14. Eslava, Paul, Farmer, Mag. Spgs.
15. Gamble, I. Jack, Salesman, Bay Minette
16. Gipson, Leon Fisher, Mechanic, Bay Minette
17. Graham, James R., Laborer, Bay Minette
18. Grantham, Donald R., Farmer, Mag. Spgs.
19. Gwaltney, William H., Clerk, Robertsedale
20. Haden, James P., Salesman, Robertsedale
21. Hailles, Thomas E., Gulf Gas Agent, Robertsedale
22. Jerkins, Marvin E., Civil Service, Stapleton
23. Jones, George, Business Operator, Daphne
24. Kane, James, Farmer, Loxley
25. Kriss, Frank, Farmer, Silverhill
26. Lamar, Reuben, Laborer, Foley
27. Langer, Stanley, Machinist, Robertsedale
28. Lazzari, Joe, Jr., Farmer, Belforest
29. Lazzari, John, Farmer, Belforest
30. McGowan, Edmund C., Farmer, Latham
31. McKibbin, Emmett C., Woodhaven Dairy, Fairhope
32. Mosley, Rufus, Farmer, Stapleton
33. Novaty, Milton J., Farmer, Robertsedale
34. Owen, I. D., Merchant, Bay Minette
35. Rhodes, Charles R., Farmer, Foley
36. Rhodes, Elbert M., Farmer, Summerdale
37. Rieben, Everett, Brookley, Bay Minette
38. Rieben, Ray, Paper Mill, Bay Minette
39. Robertson, Mutt, Laborer, Robertsedale
40. Robinson, Odele, Contractor, Bay Minette
41. Sedlock, Fred J., Farmer, Robertsedale
42. Sheppard, Lloyd, Farmer, Foley
43. Simon, Arthur, Farmer, Belforest
44. Smith, Columbus, Mill Worker, Stockton
45. Veal, Arthur, Attendant, Summerdale
46. Wilsen, George, Airport Oper, Foley
47. Wilsey, James, Clerk, Loxley
48. Wilson, Frank E., Brookley Field, Daphne
49. Yelding, Bailey, Sr., Carpenter & Bricklayer, Daphne
50. Mason, Jimmy, Salesman, Fairhope
51. Davidson, W. H., Turpentine Farmer, Bay Minette
52. Marino, Percy, Mobile Housing Board, Daphne
53. Hail, William, Farmer - Elberta

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